

ASSEMBLY BILL

No. 1677

**Introduced by Committee on Consumer Protection,
Governmental Efficiency and Economic Development
(Davis (Chair), Leach (Vice Chair), Cox, Lempert,
Machado, and Wesson)**

March 16, 1999

An act to amend Sections 101, 4996.21, 5000, 5030, 5133, and 7646 of, and to repeal Section 7647 of, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1677, as introduced, Davis. Professions and vocations.

Existing law provides for a State Board of Accountancy in the Department of Consumer Affairs.

This bill would change the name of the board to the California Board of Accountancy. It would also make technical changes.

Existing law establishes the Board of Behavioral Sciences and requires it to administer and enforce the law regulating the practice of marriage, family and child counseling and clinical social work. Existing law requires that an applicant for a clinical social workers license demonstrate specified experience as a prerequisite to examination, including experience gained under the supervision of a licensed mental health professional.

This bill would require that the experience gained under the supervision of a licensed mental health professional be provided by a person acceptable to the board.

The Funeral Directors and Embalmers Law provides for the licensure and regulation of embalmers, as specified. An applicant for an embalmer's license is required to pass an examination, including certain subjects, which is given by the department as the successor to the board.

This bill would instead require an applicant for an embalmer's license to pass an examination administered by the Conference of Funeral Service Examining Board, which would be given not less than 4 times annually, as specified. The bill would make other related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 101 of the Business and
2 Professions Code is amended to read:
3 101. The department is comprised of:
4 (a) The Board of Dental Examiners of California.
5 (b) The Medical Board of California.
6 (c) The State Board of Optometry.
7 (d) The California State Board of Pharmacy.
8 (e) The Veterinary Medical Board.
9 (f) The *California* Board of Accountancy.
10 (g) The California State Board of Architectural
11 Examiners.
12 (h) The State Board of Barbering and Cosmetology.
13 (i) The Board for Professional Engineers and Land
14 Surveyors.
15 (j) The Contractors' State License Board.
16 (k) The State Board of Funeral Directors and
17 Embalmers.
18 (l) The Structural Pest Control Board.
19 (m) The Bureau of Home Furnishings and Thermal
20 Insulation.
21 (n) The Board of Registered Nursing.
22 (o) The Board of Behavioral Science Examiners.
23 (p) The State Athletic Commission.
24 (q) The Cemetery Board.
25 (r) The State Board of Guide Dogs for the Blind.



- 1 (s) The Bureau of Security and Investigative Services.
- 2 (t) The Court Reporters Board of California.
- 3 (u) The Board of Vocational Nursing and Psychiatric
- 4 Technicians.
- 5 (v) The California State Board of Landscape
- 6 Architects.
- 7 (w) The Bureau of Electronic and Appliance Repair.
- 8 (x) The Division of Investigation.
- 9 (y) The Bureau of Automotive Repair.
- 10 (z) The State Board of Registration for Geologists and
- 11 Geophysicists.
- 12 (aa) The State Board of Nursing Home
- 13 Administrators.
- 14 (ab) The Respiratory Care Examining Committee.
- 15 (ac) The Acupuncture Examining Committee.
- 16 (ad) The Board of Psychology.
- 17 (ae) The California Board of Podiatric Medicine.
- 18 (af) The Physical Therapy Board.
- 19 (ag) The Arbitration Review Program.
- 20 (ah) The Committee on Dental Auxiliaries.
- 21 (ai) The Hearing Aid Dispensers Examining
- 22 Committee.
- 23 (aj) The Physician Assistant Examining Committee.
- 24 (ak) The Speech-Language Pathology and Audiology
- 25 Board.
- 26 (al) The Tax Preparers Program.
- 27 (am) Any other boards, offices, or officers subject to its
- 28 jurisdiction by law.
- 29 SEC. 2. Section 4996.21 of the Business and
- 30 Professions Code is amended to read:
- 31 4996.21. The experience required by subdivision (c)
- 32 of Section 4996.2 shall meet the following criteria:
- 33 (a) On or after January 1, 1999, a registrant shall have
- 34 at least 3,200 hours of post-master's experience,
- 35 supervised by a licensed clinical social worker, in
- 36 providing clinical social work services as permitted by
- 37 Section 4996.9. Experience shall consist of the following:
- 38 (1) A minimum of 2,000 hours in psychosocial
- 39 diagnosis, assessment, and treatment, including
- 40 psychotherapy and counseling.

1 (2) A maximum of 1,200 hours in client-centered
2 advocacy, consultation, evaluation, and research.

3 (3) Experience shall have been gained in not less than
4 two nor more than six years and shall have been gained
5 within the six years immediately preceding the date on
6 which the application for licensure was filed.

7 (b) Notwithstanding the requirements of subdivision
8 (a), up to 1,000 hours of the required experience may be
9 gained under the supervision of a licensed mental health
10 professional *acceptable to the board*.

11 (1) Supervision means responsibility for and control of
12 the quality of clinical social work services being provided.

13 (2) Consultation shall not be considered to be
14 supervision.

15 (3) Supervision shall include at least one hour of direct
16 supervisor contact for each week of experience claimed
17 and shall include at least one hour of direct supervisor
18 contact for every 10 hours of client contact in each setting
19 where experience is gained. Not less than one-half of the
20 hours of required supervision shall be individual
21 supervision. The remaining hours may be group
22 supervision. For purposes of this section, “one hour of
23 direct supervisor contact” means one hour of face-to-face
24 contact on an individual basis or two hours of face-to-face
25 contact in a group setting of not more than eight persons.

26 (4) The supervisor and the supervisee shall develop a
27 supervisory plan that describes the goals and objectives
28 of supervision. These goals shall include the ongoing
29 assessment of strengths and limitations and the assurance
30 of practice in accordance with the laws and regulations.
31 The associate shall submit to the board the initial
32 supervisory plan within 30 days of commencement of
33 supervision. The supervisor shall submit to the board
34 within 30 days of termination of supervision evidence of
35 satisfactorily completed supervised experience by the
36 supervisee.

37 (c) A “private practice setting” is any setting other
38 than a governmental entity, a school, college, or
39 university, a nonprofit and charitable corporation, a
40 licensed health facility, as defined in Sections 1250, 1250.2,

1 and 1250.3 of the Health and Safety Code, a social
2 rehabilitation facility or a community treatment facility,
3 as defined in subdivision (a) of Section 1502 of the Health
4 and Safety Code, a pediatric day health and respite care
5 facility, as defined in Section 1760.2 of the Health and
6 Safety Code, or a licensed alcoholism or drug abuse
7 recovery or treatment facility, as defined in Section
8 11834.02 of the Health and Safety Code.

9 (1) In a setting that is not a private practice, a
10 registrant shall be employed on either a voluntary or paid
11 basis.

12 (2) If volunteering, the registrant shall provide the
13 board with a letter from his or her employer verifying his
14 or her voluntary status upon application for licensure.

15 (3) If employed, the registrant shall provide the board
16 with copies of his or her W-2 tax forms for each year of
17 experience claimed upon application for licensure.

18 (d) Employment in a private practice setting shall not
19 commence until the applicant has been registered as an
20 associate clinical social worker. A registrant employed in
21 a private practice setting shall not do any of the following:

22 (1) Pay his or her employer or supervisor for
23 supervision, and shall receive fair remuneration from his
24 or her employer.

25 (2) Receive any remuneration from patients or clients
26 and shall only be paid by his or her employer.

27 (3) Perform services at any place except where the
28 registrant's employer regularly conducts business.

29 (4) Have any proprietary interest in the employer's
30 business.

31 (e) A person employed in a setting other than a
32 private practice setting may obtain supervision from a
33 person not employed by the registrant's employer if that
34 person has signed a written agreement with the employer
35 to take supervisory responsibility for the registrant's
36 social work services.

37 SEC. 3. Section 5000 of the Business and Professions
38 Code is amended to read:

39 5000. There is in the Department of Consumer Affairs
40 the ~~State~~ *California* Board of Accountancy, which consists

1 of 10 members, five of whom shall be certified public
2 accountants, one of whom shall be a public accountant,
3 and four of whom shall be public members who shall not
4 be licentiates of the board or registered by the board. The
5 board has the powers and duties conferred by this
6 chapter.

7 The Governor shall appoint two of the public members,
8 the five certified public accountant members, and the
9 public accountant member qualified as provided in this
10 section. The Senate Rules Committee and the Speaker of
11 the Assembly shall each appoint a public member. In
12 appointing the five certified public accountant members,
13 the Governor shall appoint members representing a cross
14 section of the accounting profession with at least one
15 member representing a small public accounting firm. For
16 the purposes of this chapter, a small public accounting
17 firm shall be defined as a professional firm that employs
18 a total of no more than four certified public accountants
19 as partners, owners, or full-time employees in the
20 practice of public accountancy within the State of
21 California.

22 This section shall become operative on July 1, 1997, and
23 shall become inoperative on July 1, 2001, and as of January
24 1, 2002, is repealed, unless a later enacted statute, that
25 becomes effective on or before January 1, 2002, deletes or
26 extends the dates on which this section becomes
27 inoperative and is repealed. The repeal of this section
28 renders the board subject to the review required by
29 Division 1.2 (commencing with Section 473).

30 SEC. 4. Section 5030 of the Business and Professions
31 Code is amended to read:

32 5030. "Board" means the—~~State California~~ Board of
33 ~~Accountancy.~~ *Accountancy*.

34 SEC. 5. Section 5133 of the Business and Professions
35 Code is amended to read:

36 5133. All money in the Accountancy Fund is hereby
37 appropriated to the—~~State California~~ Board of
38 Accountancy to carry out the provisions of this chapter.
39 Each member of the board,~~the secretary-treasurer of the~~
40 ~~board, whether or not he is a member of the board,~~ and

1 each member of a committee shall receive a per diem and
2 expenses as provided in Section 103.

3 SEC. 6. Section 7646 of the Business and Professions
4 Code is amended to read:

5 7646. The program shall require the applicant to pass
6 an examination, ~~which shall include the following~~
7 ~~subjects:~~

8 ~~(a) Theory and practice of embalming.~~

9 ~~(b) Anatomy, including histology, embryology and~~
10 ~~dissection.~~

11 ~~(c) Pathology and bacteriology.~~

12 ~~(d) Hygiene, including sanitation and public health.~~

13 ~~(e) Chemistry, including toxicology.~~

14 ~~(f) Restorative art, including plastic surgery and~~
15 ~~demisurgery.~~

16 ~~(g) Laws, rules and regulations of the program,~~
17 ~~including those sections of the Health and Safety Code~~
18 ~~which pertain to the funeral industry known as the~~
19 ~~National Board, administered by the Conference of~~
20 ~~Funeral Service Examining Board. The program may add~~
21 ~~additional testing requirements regarding state laws,~~
22 ~~rules, and regulations.~~

23 SEC. 7. Section 7647 of the Business and Professions
24 Code is repealed.

25 ~~7647. The program shall examine applicants for~~
26 ~~embalmer's licenses at least once annually.~~

27 ~~Examinations shall be held at such times and places as~~
28 ~~may be determined by the program.~~

29 ~~Notice of the time and place of such examinations shall~~
30 ~~be given as determined by the program.~~